

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

V.

JESUS ESTRADA-CONTRERAS,
MARICIO ESTRADA-MUNOZ, and
MIGUEL ORTEGA-ESTRADA,

Defendants.

Case No. CR17-301RSL

ORDER CONTINUING
TRIAL AND EXTENDING
PRETRIAL MOTIONS
DATES

This matter comes before the Court on defendants' motions to continue trial. Dkt. ## 61, 62. The government does not join the motion, but does not object. Dkt. # 64. Having considered the motions, defendants' waivers, and the remainder of the record, the Court finds as follows:

1. The Court finds that trial is currently scheduled for June 25, 2018; that there are a number of unresolved issues that have slowed the pace of discovery; that there is more discovery yet to be disclosed; that much of the discovery produced is subject to a Protective Order that presents additional logistical hurdles for preparing the defense; and that there are still complex issues that require exploration, including defenses applicable to the case.

2. The Court finds that a failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

3. The Court finds that a failure to grant a continuance would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

4. The Court finds that the additional time requested is a reasonable period of delay, and that the additional time requested between the current trial date of June 25, 2018, and the proposed trial date of October 29, 2018, is necessary to provide defense counsel reasonable time to prepare for trial considering all of the facts set forth above.

5. The Court further finds that such a continuance would serve the ends of justice, and that these factors outweigh the best interests of the public and the defendant in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

6. Each defendant has signed a waiver indicating that he has been advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived that right and consented to the continuation of trial to a date up to and including November 30, 2018, Dkt. # 60 (Miguel Ortega-Estrada); Dkt. # 63 (Jesus Estrada-Contreras); Dkt. # 65 (Mauricio Estrada-Munoz), which will allow trial to start on October 29, 2018.

IT IS HEREBY ORDERED that the trial date be continued from June 25, 2018, to October 29, 2018.

IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued to August 13, 2018.

IT IS FURTHER ORDERED that the period of time from the current trial date of June 25, 2018, up to and including November 30, 2018, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to the filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 10th day of May, 2018.

Robert S. Lasnik
Robert S. Lasnik
United States District Judge